

COMMITTEE ON GOVERNMENT REFORM
CONGRESSMAN TOM DAVIS, CHAIRMAN



NEWS RELEASE

For Immediate Release
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Davis Supports Improvement in TSA's
Employee Complaint Process
Window Remains Open for Complainants

Washington, D.C. - House Government Reform Committee Chairman Tom Davis (R-VA) wrote today to Admiral David Stone, Acting Administrator of the Transportation Security Administration (TSA), to express his support for TSA's efforts to improve its employee complaint process.

After the 9/11 attacks, TSA was granted special hiring flexibilities to build a new federal agency within a one-year timeframe. While TSA should be commended for accomplishing that goal, the Committee received many complaints from current and former employees allege that TSA violated labor laws regarding discrimination and prohibited personnel practices. In addition, many complaints allege that no information was provided regarding access to TSA complaint procedures.

"It's unfortunate that TSA's Human Resources Office was not fully staffed to take these types of complaints from screeners during the early phases of federalization," said Chairman Davis. "However, I am encouraged to hear TSA has developed procedures to hear these complaints and has dedicated the resources necessary and hired additional staff to ensure that complaints are fairly considered."

A copy of the letter follows:

April 12, 2004

Admiral David M. Stone
Acting Administrator
Transportation Security Administration
TSA Headquarters East Building
Floor 7, TSA-1
601 South 12th St

Arlington, VA 22202-4220

Dear Admiral Stone:

When Congress created the Transportation Security Administration (TSA) in response to the terrorist attacks of September 11, 2001, TSA was given the monumental task of building a new federal agency to secure air passenger safety and was given only one year to complete its work. TSA has done a tremendous job of using the special hiring flexibilities granted under federal law to get this new agency off the ground. After first devising a recruiting strategy, developing hiring criteria, and creating both written and practical employment examinations, TSA began hiring airport passenger/baggage screeners into federal service in February 2002. For the remaining ten months of 2002, TSA reviewed over 1.7 million applications and hired and trained more than 55,000 federal screeners, at about 440 airports both inside and outside the continental United States.

However, despite these laudable accomplishments, the Committee recently received many complaints from current and former screeners, screener applicants, and incumbent screeners (who held positions prior to the federalization of the screener function under TSA). These complaints allege that TSA, in its haste to create a federal workforce, violated well-established labor laws regarding discrimination and prohibited personnel practices. Many unsuccessful applicants for the federal screener positions claimed they were discriminated against based on race, gender, age, and national origin. Some incumbent screeners allege they were offered false promises of pay bonuses and hiring preferences to remain on the job while TSA completed its selection and training of new employees. Others complained TSA's contractors, who were hired to recruit and assess screener applicants, inconsistently applied the assessment procedures and selection standards.

In addition to the allegation of improper hiring practices, many of the complaints allege that no information was provided regarding access to TSA complaint procedures. According to some unsuccessful applicants, TSA managers told them they could not file a complaint because they were not federal employees. Some incumbent screeners contend they were unable to meet complaint-filing deadlines because they were unaware of the deadlines.

After meeting with members of your staff regarding these complaints, we understand more fully the process under which the screener workforce was hired, trained, and activated. We understand that during the early period of federalizing the screener force, the TSA Office of Human Resources lacked a consistent and widespread communications strategy to inform screeners and screener applicants about their rights and the complaint processes that were available to them. We also understand that a complaint office was not fully staffed to take these types of complaints at the time the screener force was in transition.

However, we are encouraged to hear TSA has developed procedures to hear these

complaints and has dedicated the resources necessary to ensure that complaints are fairly considered. We also understand TSA is taking steps to ensure screeners and screener applicants are aware of the complaint procedures available to them. For example, we understand that the TSA Office of Civil Rights has doubled its staff in response to the large backlog of equal opportunity personnel issues. This office is available to TSA employees, former employees, or applicants for employment who believe they were discriminated against because of race, color, religion, gender, national origin, age, disability, or sexual orientation. Generally, complaints should be filed within 45 days of the alleged act of discrimination. However, screeners, former screeners, and screener applicants who believe they were discriminated against in the past but did not know to contact the Office of Civil Rights, may still do so, and under certain conditions, retain all their remedy rights. The contact number for the Office of Civil Rights is 1-877-EEO-4-TSA.

We are also encouraged to learn that the TSA Office of Human Resources has decided that incumbent screeners, who reapply and pass all the necessary examinations and background checks, will be afforded priority employment for open screener positions through July 11, 2004, over others not currently employed at TSA. Interested applicants, and those with concerns about veterans' preferences afforded screeners under the Aviation and Transportation Security Act, may contact the Transportation Security Screener Customer Service Center at 1-800-887-1895.

In less than a year, TSA was able to staff a fully functional screener workforce to secure air passenger safety for our country. It is with the same sense of urgency that we ask you to bring closure for the many complainants who believe they were mistreated during early phases of the federalization of the screener function. We believe that you are moving in the right direction, and we will continue to monitor your progress as the TSA screener management continues to develop.

Sincerely,

Tom Davis
Chairman

cc: The Honorable Henry A. Waxman, Ranking Minority Member

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